

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ZENAIDA JACKSON

Plaintiff,

v.

WENDY WALLACE,

Defendant.

08-CV-5360 (WJM)

ORDER

This matter having been raised by Plaintiff Zenaida Jackson seeking an application to proceed without the payment of fees under 28 U.S.C. § 1915; and the Court having *sua sponte* screened the Complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine if it fails to state a claim upon which relief may be granted; and it appearing that Plaintiff and Defendant Wendy Wallace are residents of the State of New Jersey; and therefore, Plaintiff having failed to demonstrate subject matter jurisdiction for her state tort-related claims through diversity of citizenship pursuant to 28 U.S.C. § 1332; and Plaintiff having failed to allege any facts suggesting any violation of federal law in the Complaint or provide any other grounds for this Court's subject matter jurisdiction; and for good cause shown;

IT IS on this 19th day of November, 2008, hereby,

ORDERED that Plaintiff's application to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915(a); and it is

FURTHER ORDERED that the Clerk of the Court shall file the Complaint without the prepayment of fees and security; and it is

FURTHER ORDERED that Plaintiff may amend her Complaint to cure any of the deficiencies noted by the Court within thirty (30) days; and it is

FURTHER ORDERED that should Plaintiff fail to appropriately amend her Complaint, the Complaint will be **DISMISSED** *sua sponte* pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted, and the case will be **CLOSED**.

s/William J. Martini
William J. Martini, U.S.D.J.